THE HON'BLE MR JUSTICE L.NARASIMHA REDDY

WRIT PETITION NO.10309 of 2006

25th May 2006

Between:

1. P.Pullaiah, S/o.Subbanna, 36 years, Cultivation, R/o.Pedda Chintakunta Village, Allagadda Mandal, Kurnool District.

And one other.

...PETITIONERS

AND

Sri Samba Siva and Venugopala Swamy Temple, P.Chintakunta Village, Allagadda Mandal, Kurnool District, rep.by its Executive Officer.

...RESPONDENT

THE HON'BLE MR JUSTICE L.NARASIMHA REDDY

WRIT PETITION NO.10309 of 2006

ORDER:

The petitioners state that they have participated in the auction conducted by the respondent/Devasthanam for granting leasehold rights during the previous year and emerged as successful bidders for Rs.43,000/- (Rupees forty three thousand only) and Rs.25,000/- (Rupees twenty five thousand only) respectively for different extents. They state that the lease was for a period of three (3) years. The petitioners allege that the respondent/Devasthanam is not receiving advance rent for the current agricultural year and seek appropriate directions in this regard.

Heard the learned counsel for the petitioners and the learned Standing Counsel for the Devasthanam.

Though the petitioners state that the lease in their favour was for three (3) years, they are not able to place any record before this Court in support of their contention.

Be that as it may, if the respondent has not chosen to conduct auction of the leasehold rights for the current agricultural year, the petitioners deserve to be continued by marginally enhancing the rent. In case the auction is conducted, it shall be open to the petitioners to participate therein.

Therefore, the Writ Petition is disposed of directing that

a. in case the respondent does not propose to conduct any auction for the crop season 2006-07, the petitioners shall be continued as lessees by enhancing the lease amount by 10%; and

b. however, if the respondent intends to conduct any auction for grant of leasehold rights, it shall be open to the petitioners also to participate therein and lease shall be granted in favour of the highest bidder.

There shall be no order as to costs.

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(L.NARASIMHA REDDY, J)

25th May 2006

RRB

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